

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, LLC, et al.,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

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:

CIVIL ACTION NO.
02-cv-3830 (LDD)

**DECLARATION OF MELISSA E. FLAX IN OPPOSITION TO
PLAINTIFFS' MOTION *IN LIMINE***

MELISSA E. FLAX, of full age and upon her oath declares as follows:

1. I am a member of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, attorneys for defendant Handy & Harman Tube Company, Inc. ("H&H Tube") and am admitted *pro hac vice* before this Court in connection with the above captioned matter.

2. I submit this declaration in opposition to Plaintiffs' motion *in limine* with respect to the Administrative Depositions.

3. Attached hereto as Exhibit A is a true and accurate copy of relevant portions of the deposition testimony of Manfred DeRewal, Sr. dated December 11, 1996.

4. Attached hereto as Exhibit B is a true and accurate copy of relevant portions of the deposition testimony of Manfred DeRewal, Sr. dated May 7, 2003.

5. Attached hereto as Exhibit C is a true and accurate copy of relevant portions of the deposition testimony of Bruce DeRewal dated March 13, 1997.

6. Attached hereto as Exhibit D is a true and accurate copy of relevant portions of the deposition testimony of Bruce DeRewal dated June 16, 2003.

7. Attached hereto as Exhibit E is a true and accurate copy of relevant portions of the deposition testimony of Manfred DeRewal, Jr. dated February 26, 1997.

8. Attached hereto as Exhibit F is a true and accurate copy of relevant portions of the deposition transcript of Manfred DeRewal, Jr. dated May 12, 2003.

I declare under penalty of perjury that the foregoing is true and accurate.
Executed on this 6th day of June 2008.

 [MF1386]
MELISSA E. FLAX [MF4060]

EXHIBIT A

MANFRED TATARA DeREWAL, VOL. II 12-11-96

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5 IN RE: BOARHEAD FARMS SUPERFUND SITE
6
7
8
9
10

11 SWORN STATEMENT OF
12 MANFRED TATARA DeREWAL
13 VOLUME II
14
15
16

17 On the 10th and 11th days of December,
18 1996, at 10:17 a.m. and 10:35 a.m., respectively, the
19 sworn statement of the above-named witness was taken
20 at the instance of the United States Enviornmental
21 Protection Agency before Greg B. Hunt, Certified
22 Shorthand Reporter in and for the State of Texas, at
23 the Bureau of Prisons Federal Medical Center, 3150
24 Horton Road, in the City of Fort Worth, County of
25 Tarrant, State of Texas.

COPY

MANFRED TATARA DeREWAL, VOL. II 12-11-96

150

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BY: MS. BEVIN HARDY

Paralegal Specialist

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BY: MR. PAUL J. NEALE, JR.

Paralegal Specialist

MANFRED TATARA DeREWAL, VOL. II 12-11-96

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1 MR. NEALE: Okay.

2 THE WITNESS: Yeah.

3 A Handy & Harman, I think -- I think that
4 was some drums. I don't think they had much waste,
5 but I think that's what that was, and I don't know
6 what they -- I don't -- I mean, Handy & Harman Tub --

7 MS. HARDY: We don't have --

8 THE WITNESS: We don't have Handy &
9 Harman?

10 MS. HARDY: We don't have any
11 documents --

12 THE WITNESS: Oh, yeah, you've got it
13 here.

14 MS. HARDY: -- to show you. We don't
15 have any documents to show you.

16 THE WITNESS: Oh, okay.

17 A I think we may have -- I mean, they're --
18 some exotic metals they deal -- of course, they're
19 the big gold people out there. You know, they have
20 gold refining, silver refining.

21 Q We did detect some drums with silver in
22 them at the site. Could that have been Handy &
23 Harman drums?

24 A They could be.

25 Q Can you think of any other company that

MANFRED TATARA DeREWAL, VOL. II 12-11-96 258

1 you did business with that would have had silver --

2 A No. I'm just saying Handy & Harman
3 because they're over there near Norristown also, but
4 I don't recall ever doing much with Handy & Harman,
5 but -- Hoffman La Roche, I don't know what we ever
6 got from Hoffman La Roche. They're over there in
7 Jersey not too far from us, but that would be --
8 their kind of waste, I don't think it would be acid.
9 I don't know what it would be. They make
10 pharmaceuticals there. NCR Corporation, we got
11 ferric chloride out of NCR Corporation.

12 Q Would that have gone to the Philadelphia
13 facility?

14 A Philly, yeah.

15 Q That was bulk waste?

16 A What?

17 Q That was bulk waste?

18 A Yes, as far as I know, it was -- that's
19 all we ever took out. I mean, you know, if they
20 called up and they had 30 drums and they wanted
21 someone to pick them up, they would have, I mean, but
22 as far as I know, that was all bulk.

23 Q Okay.

24 MR. NEALE: What about General
25 Electric?

MANFRED TATARA DeREWAL, VOL. II

12-11-96

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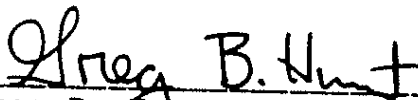
1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Greg B. Hunt, Certified Shorthand Reporter
4 in and for the State of Texas, certify that the
5 foregoing sworn statement of MANFRED TATARA DeREWAL
6 was reported stenographically by me at the time and
7 place indicated, said witness having been placed
8 under oath by me, and that this transcript is a true
9 record of the testimony given by the witness.

10 I further certify that I am neither counsel for
11 nor related to any party in this cause and am not
12 financially interested in its outcome.

13 Given under my hand and seal of office on this
14 the 4th day of April, 1997
15 ~~1996~~.

16
17 
18 Greg B. Hunt, Certified
19 Shorthand Reporter No. 3455 in
20 and for the State of Texas
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24 My commission expires December 31, 1997.
25

EXHIBIT B

1

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 CIVIL ACTION NO.
4 BOARHEAD FARM AGREEMENT 02-CV-3830
5 GROUP, Judge Legrome D. Davis
6 Plaintiff, Oral Deposition of

7 vs. MANFRED T. DE REWAL, SR.
8 ADVANCED ENVIRONMENTAL TECHNOLOGY
9 CORPORATION; ASHLAND CHEMICAL
10 COMPANY; BOARHEAD CORPORATION;
11 CARPENTER TECHNOLOGY CORPORATION;
12 CROWN METRO, INC.; DIAZ CHEMICAL
13 CORPORATION; EMHART INDUSTRIES,
14 INC.; ETCHED CIRCUITS, INC.; FCG,
15 INC.; GLOBE DISPOSAL COMPANY, INC.;
16 GLOBE-WASTECH, INC.; HANDY & HARMAN
17 TUBE COMPANY, INC.; KNOLL, INC.;
18 MERIT METAL PRODUCTS CORPORATION;
19 NOVARTIS CORPORATION; NRM INVESTMENT
20 COMPANY; PLYMOUTH TUBE COMPANY;
21 QUIKLINE DESIGN AND MANUFACTURING
22 COMPANY; RAHNS SPECIALTY METALS,
23 INC.; ROHM & HAAS COMPANY, SIMON
24 WRECKING COMPANY, INC.; TECHALLOY
25 COMPANY, INC.; THOMAS & BETTS
CORPORATION; UNISYS CORPORATION;
UNITED STATES OF AMERICA
DEPARTMENT OF NAVY,
Defendants.

18 * * * * *
19 Wednesday, May 7, 2003
20 * * * * *

21 Transcript in the above matter taken at
22 the offices of Ballard, Spahr, Andrews & Ingersoll,
23 LLP, 1735 Market Street, 42nd Floor, Philadelphia,
24 Pennsylvania, commencing at 10:10 A.M.

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9 BY: ROBERT MANLEY, ESQUIRE
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10 WASHINGTON, D.C. 20002
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-and-

11 UNITED STATES DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
12 BY: JOHN SHEEHAN, ESQUIRE (present via phone)
601 D STREET NW, SUITE 8120
13 WASHINGTON, D.C.
(202)514-0995
14 ATTORNEYS FOR THE DEFENDANT,
15 UNITED STATES OF AMERICA DEPARTMENT OF NAVY

16

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1 DeRewal to Quickline Design, marked for
2 I.D.)

3 Q. P-41 is an invoice, Mr. DeRewal. Can
4 you tell us what P-41 is?

5 A. It's an invoice from DeRewal to
6 Quickline Design.

7 Q. You recognize it to be that?

8 A. Yes.

9 Q. Mr. DeRewal, do you recall whether or
10 not DeRewal Chemical ever did business with a company
11 called Handy & Harman Tube Company?

12 A. Yes.

13 Q. Where was the Handy & Harman Tube
14 facility located?

15 A. I think it's Paoli, I think.

16 Q. Do you remember what street it was on?

17 A. No.

18 Q. Did you ever visit the facility?

19 A. I don't think so.

20 Q. Do you recall for how long Handy &
21 Harman was a customer of DeRewal Chemical?

22 A. No.

23 Q. What if anything do you know about the
24 waste that DeRewal Chemical removed from Handy &
25 Harman?

153

1 A. I don't even know the type of waste they
2 have.

3 (Exhibit P-42, Invoice to Handy &
4 Harman, marked for I.D.)

5 Q. Mr. DeRewal, take a look at the document
6 that's been marked Exhibit P-42 and let me ask you
7 whether you recognize this or not.

8 A. It's an invoice to Handy & Harman.

9 Q. Okay. Taking a look at the invoice
10 where it says 55-gallon drums industrial waste
11 solution and 30-gallon drums. Does that jog your
12 memory as to what kind of waste Handy & Harman had?

13 A. No.

14 Q. Now, this invoice is addressed to
15 Norristown, Pennsylvania. I forgot what town you
16 mentioned a moment ago when I asked you about them.

17 A. I don't know. I thought they were in
18 Paoli. They might be in Norristown.

19 Q. You don't have a real good recollection
20 of this customer, right?

21 A. No.

22 MR. HARRIS: Okay. Nobody
23 objected. That was leading, I can't
24 understand it.

25 (Off-the-record discussion.)

1 C E R T I F I C A T E

2 I, NORA M. GALLAGHER, a Notary Public and
3 Certified Shorthand Reporter of the State of New
4 Jersey, and Commissioner of Deeds of the Commonwealth
5 of Pennsylvania, do hereby certify that prior to the
6 commencement of the examination,

7 MANFRED T. DE REWAL

8 was duly sworn by me to testify to the truth, the
9 whole truth and nothing but the truth.

10 I do further certify that the foregoing
11 is a true and accurate transcript of the testimony as
12 taken stenographically by and before me at the time,
13 place and on the date hereinbefore set forth.

14 I do further certify that I am neither
15 a relative nor employee nor attorney nor counsel of
16 any of the parties to this action, and that I am
17 neither a relative nor employee of such attorney or
18 counsel and that I am not financially interested in
19 this action.

20

21

22 Nora M. Gallagher, C.S.R.
23 My Commission Expires October 24, 2007
24 Certificate No. XI00911
25 Date:

EXHIBIT C

- - -
IN RE: BOARHEAD FARMS NPL :
SUPERFUND SITE :
- - -

ORIGINAL
(Red)

ORIGINAL

Thursday, March 13, 1997
Commencing at 10:55 a.m.
- - -

Best Western Motor Inn
1446 West Broad Street
Quakertown, Pennsylvania 18951
- - -

NOTE: THIS TRANSCRIPT IS THE WORK PRODUCT OF ROBERT W.
HARLEY, REGISTERED PROFESSIONAL REPORTER. COPIES ARE
AVAILABLE ONLY THROUGH ROBERT W. HARLEY.

Robert W. Harley Reporting Services
Suite 700
One Montgomery Plaza
Norristown, Pa. 19401
(610) 270-0811

BSAI019313

ORIGINAL
(Red)

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for U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III

ALSO PRESENT:

BEVIN HARDY, PARALEGAL SPECIALIST
PAUL J. NEALE, JR., PARALEGAL SPECIALIST
JOAN E. MARTIN-BANKS, CIVIL INVESTIGATOR
Region III
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Phila., Pa. 19107

Witness: BRUCE J. DeREWAL

EXHIBITS

U.S. EPA Exhibits

<i>No.</i>	<i>Description</i>	<i>Mrkd</i>
1	Administrative subpoena	6
2	Boarhead Farms site map	8
3	Photograph	11
4	Photograph	12
5	Boarhead Farms site map (Pit W)	43
6	Photograph	43
7	Photograph	43
8	Jonas Trucking Company operating record	45
9	Jonas Trucking Company operating record	46

ORIGINAL
(Red)

1 BRUCE J. DeREWAL

2 the same thing.

3 BY MS. KEATING:

4 Q Was that waste contained in drums?

5 A Yes.

6 Q Do you recall where those drums were disposed of?

7 A Well, they were emptied out in Jersey into that
8 tank. They had the copper solution that we would

9 re-sell.

10 Q Was that tank located at the Frenchtown facility?

11 A Frenchtown site, yeah, the same steel tank down
12 there.

13 Q Then what would happen to the empty drums once
14 they were emptied?

15 A I don't know what we ever did with them. They
16 were plastic, plastic-lined drums. I don't know what
17 we ever did with them. We had a guy that used to buy
18 the drums down in Philadelphia. We might have sold
19 them to him.

20 BY MS. HARDY:

21 Q Are you familiar with General Electric Company?

22 A No.

23 Q Are you familiar with Handy and Harman Tub?

24 A No.

25 Q Are you familiar with Hoffman LaRoche,

1 BRUCE J. DeREWAL

2 Incorporated?

3 A No.

4 BY MS. KEATING:

5 Q Are you familiar with Handy and Harman Tube?

6 A Handy and Harman Tube? Where would they be
7 located, do you know? If you had some addresses, maybe
8 that would help. I've never heard of any of these,
9 really. Go ahead.

10 BY MS. HARDY:

11 Q Are you familiar with NCR Corporation?

12 A No.

13 Q Are you familiar with Rahns Specialty?

14 A No.

15 Q Are you familiar with Sylvan Chemical
16 Corporation?

17 A He might be the one that owned the copper salts.
18 That could have been his material. He got them back
19 then, so that's the only way I'd know him.

20 BY MS. KEATING:

21 Q Were the copper salts the drums that were buried
22 out there for a number of months -- or not buried but
23 stored out there for a number of months?

24 A Yeah. I think Sylvan Chemical had to do with
25 that stuff, but we never hauled any waste for them.

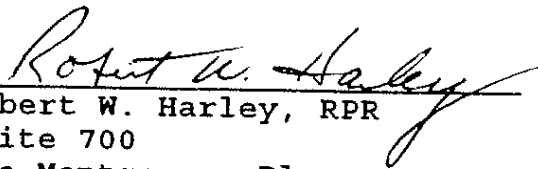
ORIGINAL
(Reg)

C E R T I F I C A T I O N

ORIGINAL

I, Robert W. Harley, Registered Professional Reporter, Notary Public, do hereby certify that the foregoing proceedings were taken stenographically be me on March 13, 1997 and that this is a true and correct transcript of same, fully transcribed under my direction, to the best of my ability and skill.

I further certify that I am not a relative, employee or attorney of any of the parties in this action; that I am not a relative or employee of any attorney in this action; and that I am not financially interested in the event of this action.


Robert W. Harley, RPR
Suite 700
One Montgomery Plaza
Norristown, Pa. 19401

Notarial Seal
Robert W. Harley, Notary Public
Norristown Boro, Montgomery County
My Commission Expires Aug. 14, 2000

EXHIBIT D

#188796

1

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 BOARHEAD FARM AGREEMENT CIVIL ACTION NO.
4 GROUP, 02-CV-3830
Judge Legrome D. Davis

5 Plaintiff,

ORAL DEPOSITION OF:

6 vs.

BRUCE DeREWAL

7 ADVANCED ENVIRONMENTAL TECHNOLOGY
8 CORPORATION; ASHLAND CHEMICAL
9 COMPANY; BOARHEAD CORPORATION;
10 CARPENTER TECHNOLOGY CORPORATION;
11 CROWN METRO, INC.; DIAZ CHEMICAL
12 CORPORATION; EMHART INDUSTRIES,
13 INC.; ETCHED CIRCUITS, INC.; FCG,
14 INC.; GLOBE DISPOSAL COMPANY, INC.;
15 GLOBE-WASTECH, INC.; HANDY & HARMAN
16 TUBE COMPANY, INC.; KNOLL, INC.;
17 MERIT METAL PRODUCTS CORPORATION;
18 NOVARTIS CORPORATION; NRM INVESTMENT
19 COMPANY; PLYMOUTH TUBE COMPANY;
20 QUIKLINE DESIGN AND MANUFACTURING
21 COMPANY; RAHNS SPECIALTY METALS,
22 INC.; ROHM & HAAS COMPANY, SIMON
WRECKING COMPANY, INC.; TECHALLOY
COMPANY, INC.; THOMAS & BETTS
CORPORATION; UNISYS CORPORATION;
UNITED STATES OF AMERICA
DEPARTMENT OF NAVY,

Defendants.

19 * * * * *
Monday, June 16, 2003

20 * * * * *
21 Transcript in the above matter taken at
22 the offices of Ballard, Spahr, Andrews & Ingersoll,
LLP, 1735 Market Street, 42nd Floor, Philadelphia,
Pennsylvania, commencing at 10:10 a.m.

23 Certified Shorthand Reporting Services
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1 Q. And now that you say that --

2 A. When I got burned I was scheduled to go to
3 Philadelphia.

4 Q. It was supposed to go to Philadelphia?

5 A. Yeah.

6 Q. So now you're remembering another load that
7 was supposed to go to the farm?

8 MR. DILLON: Objection to the form,
9 leading.

10 BY MR. HARRIS:

11 Q. I'm trying to clarify your testimony.

12 A. No, I might have pulled two loads out of
13 there. One was set to go to the farm and the second
14 one was supposed to go to Philly, and I had to pull out
15 of there because of the leak in the trailer.

16 Q. The Norristown, the outside Norristown place
17 that we talked about a few minutes ago, I don't
18 remember if I asked you how many times you went there.

19 A. I don't recall. Not that many.

20 Q. By "not that many", we mean less than ten?

21 A. Yes.

22 Q. Less than five?

23 A. Let's say less than ten, let's keep it at
24 ten.

25 Q. You're comfortable with less than ten?

1 A. Yeah, I think.

2 Q. What kind of pick-up was that, was that bulk
3 or drums?

4 A. That was drums.

5 Q. What kind of truck did you drive on those
6 trips?

7 A. It could have been a box van, box truck.

8 Q. By "box truck", is it a straight truck?

9 A. Straight truck, yes.

10 Q. Stakes on the side or, you know, sides on
11 it?

12 A. Yeah, either stake body or it was a rental,
13 a Ryder rental or something box truck.

14 Q. You mean literally with an enclosed --

15 A. Yeah, enclosed box.

16 Q. How big was the box truck?

17 A. 16 feet.

18 Q. And we're talking the bed, right?

19 A. Yeah, the bed.

20 Q. How many drums were you able to put in there
21 on the times you went to Handy & Harman?

22 MS. FLAX: Objection to form.

23 MR. HARRIS: I'm sorry, the place in
24 Norristown.

25 THE WITNESS: Whatever we can get in a

1 Q. Do you also recall driving a stake body?

2 A. Yes.

3 MR. HARRIS: Objection.

4 BY MS. FLAX:

5 Q. When you went to the facility located
6 outside of Norristown, I believe you testified this
7 morning you picked up drummed waste from that facility;
8 is that correct?

9 A. Yes.

10 Q. How were the drums loaded onto the truck
11 that you were driving?

12 MR. HARRIS: Objection.

13 THE WITNESS: I don't recall.

14 BY MS. FLAX:

15 Q. You don't recall whether you physically
16 loaded the drums onto the truck or whether an employee
17 of this facility loaded them?

18 A. Yeah, I don't recall how they did it.

19 Q. Do you recall where the drummed waste was
20 stored at the facility located outside of Norristown?

21 A. No.

22 Q. Do you recall where you would pick up the
23 drummed waste at the facility located outside of
24 Norristown?

25 A. No.

1 C E R T I F I C A T E

2 I, Karen L. Siedlecki, a Notary Public and
3 Certified Shorthand Reporter of the State of New
4 Jersey, do hereby certify that the foregoing is
5 a true and accurate transcript of the testimony
6 as taken stenographically by and before me at the
7 time, place and on the date hereinbefore set
8 forth.

9 I do further certify that I am neither a
10 relative nor employee nor attorney nor counsel of
11 any of the parties to this action, and that I am
12 neither a relative nor employee of such attorney
13 or counsel and that I am not financially
14 interested in this action.

15

16

17

18 Karen L. Siedlecki, C.S.R.
19 Notary Public, State of New Jersey
My Commission expires 2-17-04
Certificate No. 2162671

20

21

22

23

24

25

EXHIBIT E

- - -
IN RE: BOARHEAD FARMS NPL :
SUPERFUND SITE :
- - -

Wednesday, February 26, 1997
Commencing at 9:55 a.m.
- - -

Holiday Inn
Suite 302
Ft. Washington, Pennsylvania 19034
- - -

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ALSO PRESENT:

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Phila., Pa. 19107

Witness: MANFRED F. DeREWAL, JR.

EXHIBITS

U.S. EPA Exhibits

<i>No.</i>	<i>Description</i>	<i>Mrkd</i>
1	Administrative subpoena	5
2	Boarhead Farms site map	10
3	Photograph	11
4	Photograph	11
5	Boarhead Farms site map (Pit W)	41
6	Photograph	41
7	Photograph	41
8	Jonas Trucking Company operating record	46
9	Jonas Trucking Company operating record	47

1 MANFRED F. DeREWAL, JR.

2 A I believe, yeah. That's the only company that --
3 most of our work was bulk. I know we never picked up
4 cyanide in bulk.

5 Q Do you recall ever doing business with the
6 Department of Defense?

7 A No.

8 Q Are you familiar with a company called General
9 Electric company?

10 A I've heard of them but I don't believe we ever
11 did any work at DeRewal Chemical.

12 Q Are you familiar with a company Handy and Harman
13 Tub?

14 A That rings a bell.

15 Q Do you recall ever doing business with Handy and
16 Harman Tub?

17 A I can't recall but it sounds familiar.

18 Q Do you know what kind of waste stream was
19 generated by Handy and Harman?

20 A No, I do not.

21 Q Do you know what kind of business they were in?

22 A No, I do not.

23 Q Are you familiar with a company called Hoffman
24 LaRoche, Inc.?

25 A No.

C E R T I F I C A T I O N

I, Robert W. Harley, Registered Professional Reporter, Notary Public, do hereby certify that the foregoing proceedings were taken stenographically by me on February 26, 1997 and that this is a true and correct transcript of same, fully transcribed under my direction, to the best of my ability and skill.

I further certify that I am not a relative, employee or attorney of any of the parties in this action; that I am not a relative or employee of any attorney in this action; and that I am not financially interested in the event of this action.

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EXHIBIT F

1

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 BOARHEAD FARM AGREEMENT CIVIL ACTION NO.
4 GROUP, 02-CV-3830
Judge Legrome D. Davis

5 Plaintiff, ORAL DEPOSITION OF:

6 vs. MANFRED DeREWAL, JR.

7 ADVANCED ENVIRONMENTAL TECHNOLOGY
8 CORPORATION; ASHLAND CHEMICAL
9 COMPANY; BOARHEAD CORPORATION;
10 CARPENTER TECHNOLOGY CORPORATION;
11 CROWN METRO, INC.; DIAZ CHEMICAL
12 CORPORATION; EMHART INDUSTRIES,
13 INC.; ETCHED CIRCUITS, INC.; FCG,
14 INC.; GLOBE DISPOSAL COMPANY, INC.;
15 GLOBE-WASTECH, INC.; HANDY & HARMAN
16 TUBE COMPANY, INC.; KNOLL, INC.;
17 MERIT METAL PRODUCTS CORPORATION;
18 NOVARTIS CORPORATION; NRM INVESTMENT
19 COMPANY; PLYMOUTH TUBE COMPANY;
20 QUIKLINE DESIGN AND MANUFACTURING
21 COMPANY; RAHNS SPECIALTY METALS,
22 INC.; ROHM & HAAS COMPANY, SIMON
23 WRECKING COMPANY, INC.; TECHALLOY
24 COMPANY, INC.; THOMAS & BETTS
25 CORPORATION; UNISYS CORPORATION;
UNITED STATES OF AMERICA
DEPARTMENT OF NAVY,

Defendants.

19 * * * * *
Monday, May 12, 2003
20 * * * * *

21 Transcript in the above matter taken at
22 the offices of Ballard, Spahr, Andrews & Ingersoll,
LLP, 1735 Market Street, 42nd Floor, Philadelphia,
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25

119

1 that facility?

2 A. Same material.

3 Q. Did you ever pick up any waste from a Betts
4 Labs facility?

5 A. I can't remember.

6 Q. Did you ever pick up any waste from a
7 facility in Ivyland, Pennsylvania?

8 A. I can't remember that also.

9 Q. Did you ever pick up any waste from an
10 Ansley facility?

11 A. That doesn't ring a bell.

12 Q. Did you ever pick up any waste from a Handy
13 & Harman facility?

14 A. Yes.

15 Q. Where was that facility located?

16 A. I believe that is, it's south of -- I know
17 it's outside of Norristown, I don't know what street
18 that would be on.

19 Q. If you look at a map can you remember how
20 you got there?

21 A. No.

22 Q. Not really?

23 A. No, it's been a long time.

24 Q. Yeah, I understand.

25 A. See, I might have two companies --

122

1 Q. Tell me what happened after you drove
2 through the gate.

3 A. Went in through the gate, and I believe it
4 was a tight fit. I forget what was on either side but
5 I remember a tight fit backing down to get loaded.
6 There again, somebody would come out, put the hose in
7 until it was full.

8 Q. All right. Did anybody tell you there what
9 it was that was being loaded?

10 A. No, I have no idea.

11 Q. Did you see the stuff?

12 A. No, I did not.

13 Q. How many times did you go to that facility
14 to pick up waste?

15 A. I can't remember.

16 Q. At least once?

17 A. At least once.

18 Q. Where did that waste go that you picked up
19 for disposal?

20 A. That would have went to Boarhead.

21 Q. Do you have a recollection of where at
22 Boarhead that particular waste was disposed of?

23 A. No, I don't.

24 Q. And how was that disposed at Boarhead,
25 physically?

152

1 C E R T I F I C A T E

2 I, Karen L. Siedlecki, a Notary Public and
3 Certified Shorthand Reporter of the State of New
4 Jersey and Commissioner of Deeds for the Commonwealth
5 of Pennsylvania, do hereby certify that the foregoing
6 is a true and accurate transcript of the testimony
7 as taken stenographically by and before me at the
8 time, place and on the date hereinbefore set
9 forth.

10 I do further certify that I am neither a
11 relative nor employee nor attorney nor counsel of
12 any of the parties to this action, and that I am
13 neither a relative nor employee of such attorney
14 or counsel and that I am not financially
15 interested in this action.

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20 Notary Public, State of New Jersey
21 Certificate No. 2162671
22 My Commission expires 2-17-04
23 Commissioner of Deeds expires 9-4-06
24
25